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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY VICINAGE OF CAMDEN

HON. JOSEPH H. RODRIGUEZ,

LUIS BURGOS-CINTRON, : S.U.S.D.J.

Plaintiffs, :

Civ. Action No. 09-04470

v.

AUGUSTUS NYEKAN, JR., :
Individually and in his
office capacity as a Trooper :
in the New Torsey Division

in the New Jersey Division of State Police, et al.

NOTICE OF MOTION FOR SUMMARY JUDGMENT

Defendants. :

TO: CLERK OF THE COURT
United States District Court
Mitchell H. Cohen U.S. Courthouse
1 John F. Gerry Plaza
PO Box 850
Camden, NJ 08101

Matthew B. Weisberg Esq. Prochniak Weisberg, P.C. 7 South Morton Avenue Morton, PA 19070

PLEASE TAKE NOTICE that on a date and time to be set by the Court, the undersigned, Paula T. Dow, Attorney General of New Jersey, by Vincent J. Rizzo, Jr., Deputy Attorney General, on behalf of defendants, State of New Jersey and the New Jersey Division of State Police, shall move for Summary Judgment, before the Honorable Joseph H. Rodriguez, S.U.S.D.J., in the United States District Courthouse, Camden, New Jersey, for an Order for Summary Judgment in favor of these defendants.

PLEASE TAKE NOTICE that the undersigned will rely upon the attached brief and exhibits.

A proposed form of order is attached hereto.

PAULA T. DOW ATTORNEY GENERAL OF NEW JERSEY Attorney for Defendants

By: s/ Vincent J. Rizzo, Jr.
Vincent J. Rizzo, Jr.
Deputy Attorney General

Dated: January 7, 2011